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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,368	02/18/2004	Krista Nash	14318	2773

7590 02/09/2006
Sally J. Brown
AUTOLIV ASP, INC.
3350 Airport Road
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EXAMINER

WEBB, TIFFANY LOUISE

ART UNIT	PAPER NUMBER
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3616

DATE MAILED: 02/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/781,368

Applicant(s)

NASH ET AL.

Examiner

Tiffany Webb

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) 36-39 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/21/04, 5/19/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of claims 1-35 in the reply filed on 11/21/2005 is acknowledged.
2. Claims 36-39 withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected method, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 11/21/2005.

Specification

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. **It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.**

4. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: in claim 25, lines 1-2, "the second surface is attached to the mounting plate via a first adhesive," the specification does not provide proper antecedent basis. The examiner suggests changing to "the second surface is attached to the mounting plate via a second adhesive."

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 2 and 33 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- Claim 2 is unclear because in line 1 the gasket is claimed to be "ring-shaped," but from the drawings the gasket does not appear to conform to the meaning of "ring-shaped" and looks more like a square than a ring.
- Claim 33 is unclear because the claim states there are "foil strips," while the parent claim of 23 states "at least one foil strip," meaning that there is one or multiple, therefore "foil strips" as a plural lacks antecedent basis. The examiner suggests changing claim 33, "foil strips," to read "at least one foil strip."

Claim Objections

7. Claims 11 and 14 objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 1 adequately describes the inflator interface area being between the first surface and the inflator and the mounting plate interface area being between the second surface and the mounting plate, therefore 11 and 14 do not further limit by using the word "held."

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1-3, 11, 14, 17-20, 22-23, and 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Hauer (US 6,811,181). Regarding claims 1, 11, 14, 17, and 23, Hauer discloses an airbag vibration gasket (14) including: a first surface (see attached marked up Figure 1) that is attachable to an airbag inflator (12) via an inflator flange (26), a second surface (see attached marked up Figure 1) that is attachable to an airbag mounting plate (16), and at least one foil strip (20, col. 3, lines 44-46) having an inflator interface area (see attached marked up Figure 1) and a mounting plate interface area (see attached marked up Figure 1), the inflator interface area being between the first surface and the inflator and the mounting plate interface area being between the second

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surface and the mounting plate (see Figure 1). Regarding claim 2, Hauer discloses the gasket is ring-shaped (see Figure 3). Regarding claim 3, Hauer discloses the gasket being designed to encircle a bottom portion of the inflator (see Figure 3). Regarding claim 18, Hauer discloses having a foils strip that wraps around the gasket (col. 3, lines 40-45). Regarding claim 19, Hauer discloses the foil strip is made of an electrically conductive metal (col. 3, lines 44-49). Regarding claims 20 and 33, Hauer discloses the foil strip operating to electrically ground the inflator (col. 2, lines 49-51). Regarding claim 22, Hauer discloses making the gasket out of an elastomeric material (col. 3, lines 13-15).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 12, 15, 29, 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hauer in view of Shermetaro et al. (US 5,303,952). Hauer is discussed above and fails to disclose securing the inflator and mounting plate interface areas of the foil strips with electrically conductive adhesive. Shermetaro et al. discloses having an electrically conductive film or foil bonded to a steering wheel hub via an electrically conductive adhesive (col. 3, lines 3-17). It would have been obvious to one of ordinary skill in the art at the time of the invention to attach the gasket of Hauer to the inflator and mounting plate via an electrically conductive adhesive in view of Shermetaro et al. to ensure a

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better ground from the inflator through the steering wheel and ensure a tight connection between the film/foil and the inflator and mounting plates.

12. Claims 4-10, 13, 16, and 24-28 are rejected under 35 U.S.C. 103(a) as being unpatentable. Hauer is discussed above and fails to disclose using electrically non-conductive contact adhesives to secure the gasket to the inflator and the mounting plate. Although Hauer not clearly disclose the method of attachment, it is clear from the figures that the gasket is attached to the inflator and the mounting plate via some type of bonding or securing. Regarding claims 4, 7, 10, 24, 25, and 26, it would have been obvious to attach the gasket to the inflator and the mounting plate via an adhesive because the adhesive would have added extra security and better fasten the gasket to the inflator and the mounting plate, on top of the method of securing already in place. It is well known in the art to use more than one type of securing method. Regarding claims 5, 8, and 17, it is well known that most adhesives (ie. glue, cement, silicone) are electrically non-conductive, therefore it would be obvious that the adhesive used to secure the gasket be electrically non-conductive. It would be obvious to use the electrically non-conductive adhesive to allow for no energy pass from the inflator to the non-metal gasket. Regarding claims 6, 9, 13, 16, and 28, it is well known in the art and would have been obvious for the adhesive used to be a contact adhesive. It is well known that most adhesives are contact adhesives. It would have been obvious to one of ordinary skill in the art at the time of the invention to use an adhesive to better fasten the gasket to the inflator, further, it would have been obvious for the adhesive to be a contact adhesive. It also would have been obvious to one of ordinary skill in the art

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at the time of the invention to add an electrically non-conductive contact adhesive to the gasket in order to better fasten the gasket to the inflator and the mounting plate and avoid electrical interruptions.

13. Claims 21 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hauer in view of Jarzebowicz (US 4,817,874). Hauer is discussed above and fails to disclose the gasket being made of cellular urethane. Jarzebowicz discloses having a gasket cushion made of cellular urethane (col.5, lines 12-13). It would have been obvious to one of ordinary skill in the art at the time of the invention to have made the gasket of Hauer out of cellular urethane in view of Jarzebowicz because it is a viable material choice for making a gasket.

14. Claims 30 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hauer in view of Shermetaro et al. and further in view of Ogawara et al. (JP 56038364 A). Hauer and Shermetaro et al. are discussed above and fail to disclose using an electrically conductive adhesive including one or more fibers. Ogawara et al. discloses an electrically conductive adhesive that includes conductive fibers in the composition (attached English abstract, lines 1-5). It would have been obvious to one of ordinary skill in the art at the time of the invention to have added fibers to the electrically conductive adhesive of Shermetaro when bonding the gasket of Hauer in order to improve adhesiveness and achieve more uniform conductivity.

15. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hauer. With respect to claim 35, Hauer is discussed above and discloses the claimed invention except having a second foil piece. It would have been obvious to one having ordinary

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skill in the art at the time the invention was made to add a second foil piece so as to increase the surface area for grounding and conductivity, and since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following are all related to air bag inflator vibration dampening devices: Meter et al. (US 5,741,025), Nagata et al. (US 5,765,865), and Lorenz et al. (US 2004/0183278).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tiffany Webb whose telephone number is 571-272-2797. The examiner can normally be reached on 8-4:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tiffany Webb
Examiner
Art Unit 3616

tlw



PAUL N. DICKSON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

ATTACHMENT

U.S. Patent

Nov. 2, 2004

Sheet 1 of 2

US 6,811,181 B2

FIG. 1

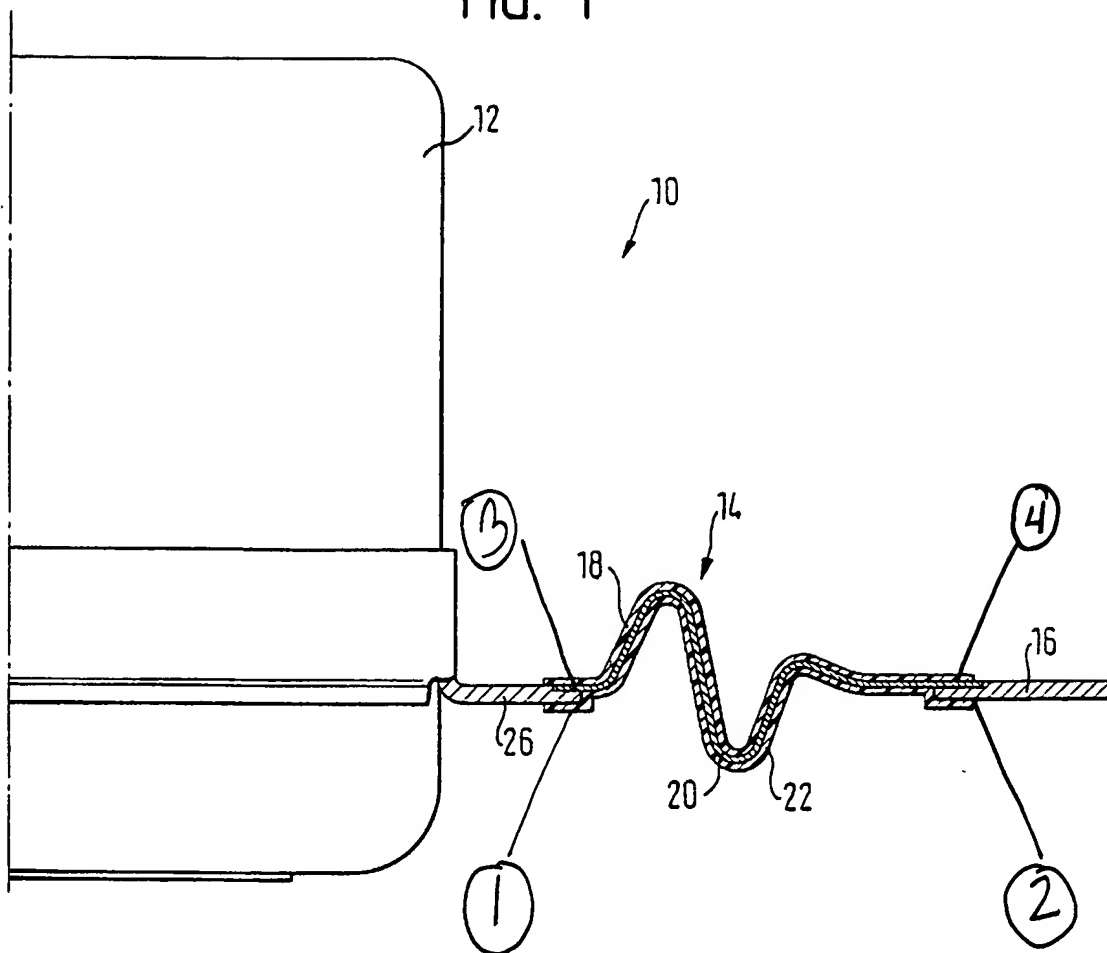


FIG. 2

